

LAW OFFICE OF TODD D. LERAS

Todd D. Leras, CA SBN 145666

455 Capitol Mall, Suite 802

Sacramento, California 95814

(916) 969-9370

toddleras@gmail.com

Attorney for Defendant

JOSE MAYO RODRIGUEZ

UNITED STATES DISTRICT COURT

EASTERN DISTRICT OF CALIFORNIA

Case No.: 2:19-cr-0231-01 WBS

UNITED STATES OF AMERICA,

Plaintiff,

vs.

JOSE ENCARNACION MAYO RODRIGUEZ,

Defendant.

ORDER TO CONTINUE SENTENCING
HEARING AND MODIFY PRESENTENCE
INVESTIGATION REPORT DISCLOSURE
SCHEDULE

Court: Hon. William B. Shubb

Date: September 22, 2025

This matter is currently set for a Sentencing Hearing on September 22, 2025. Defendant Jose Mayo Rodriguez (hereafter "Defendant Mayo") requests to continue the Sentencing Hearing to December 22, 2025, at 10:00 a.m. Defendant Mayo has completed his probation interview, and the Probation Department has disclosed to the parties a draft Presentence Investigation

ORDER CONTINUING SENTENCING
HEARING AND MODIFYING PSR
DISCLOSURE SCHEDULE

1 Report (PSR).

2 Defendant Mayo is in custody at the Wayne Brown Correctional Facility (WBCF) in
3 Nevada City. WBCF is approximately sixty-five miles from the federal courthouse. Defendant
4 Mayo is a native Spanish speaker. While his English skills are good, he requires the assistance
5 of a Spanish language interpreter to discuss the PSR and other matters related to preparation for
6 the sentencing hearing.
7

8 Defendant Mayo's Plea Agreement permits him to argue for whatever sentence he and
9 his counsel deem appropriate. Defense counsel intends to present mitigation statements from Mr.
10 Mayo's family members, the majority of whom are Spanish speakers. These family members
11 live in Michigan and Mexico. A mitigation specialist is prepared to conduct interviews with
12 Defendant Mayo's family members with the assistance of a Spanish language interpreter. The
13 mitigation specialist may need to travel to Michigan to obtain documents and records relevant to
14 sentencing. Defense counsel, the mitigation specialist, and a Spanish interpreter will need to
15 travel to WBCF for sentencing preparation meetings with Defendant Mayo.
16
17

18 As of early July 2025, and continuing to the present time, Congress has failed to approve
19 supplemental funding to pay attorneys, investigators, and interpreters working on matters
20 pursuant to the Criminal Justice Act, 18 U.S.C. § 3006A (hereafter "CJA"). CJA payments to
21 attorneys, investigators, and interpreters working on behalf of indigent defendants in federal
22 cases is not expected to occur until, at the earliest, the beginning of the new fiscal year on
23 October 1, 2025. This includes reimbursement of travel expenses. A potential government
24 shutdown may delay payments even longer than October 1, 2025, unless the House of
25 Representatives and the Senate approve additional government funding in late September.
26

27 ORDER CONTINUING SENTENCING
28 HEARING AND MODIFYING PSR
DISCLOSURE SCHEDULE

1 The practical result of the funding situation in this case is that it results in uncertainty as
2 to when the investigator/mitigation specialist and interpreter will receive payment for services
3 performed and for their reimbursable expenses. The same is true for professional services
4 rendered by defense counsel in the case. On that basis, defense counsel requests to continue the
5 Sentencing Hearing and to partially modify the PSR disclosure schedule as follows:
6

7 Informal Correction Request Due: November 24, 2025

8 Final PSR Due: December 1, 2025

9 Motion for Correction Due: December 8, 2025

10 Reply Date: December 15, 2025

11
12 Defense counsel believes that the current CJA funding situation constitutes good cause
13 for the request. The assigned probation officer has confirmed his availability on the requested
14 date.

15 The request follows a guilty plea so an exclusion of time pursuant to the Speedy Trial Act
16 is not required. The government does not oppose the request because the procedural posture of
17 the case does not impact on the public's interest in a speedy trial. Assistant U.S. Attorney David
18 Spencer has authorized Todd D. Leras via email to sign this stipulation on his behalf.
19

20 DATED: September 15, 2025

21 By /s/ Todd D. Leras for
22 DAVID W. SPENCER
23 Assistant United States Attorney

24 DATED: September 15, 2025

25 By /s/ Todd D. Leras
26 TODD D. LERAS
27 Attorney for Defendant
28 JOSE MAYO RODRIGUEZ


ORDER CONTINUING SENTENCING
HEARING AND MODIFYING PSR
DISCLOSURE SCHEDULE

ORDER

GOOD CAUSE APPEARING BASED ON THE REPRESENTATIONS OF DEFENSE COUNSEL, the Sentencing Hearing, set for September 22, 2025, is vacated. A new Sentencing Hearing is set for **December 22, 2025, at 10:00 a.m.** The Court adopts the modified PSR disclosure schedule proposed by the parties.

IT IS SO ORDERED.

Dated: SEPTEMBER 15, 2025



WILLIAM B. SHUBB
UNITED STATES DISTRICT JUDGE

ORDER CONTINUING SENTENCING
HEARING AND MODIFYING PSR
DISCLOSURE SCHEDULE